

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CORY T. ALLEN,)	
)	
Plaintiff,)	8:16CV119
)	
v.)	
)	
THE COUNTY OF DOUGLAS, is to)	ORDER
be sued in Official Capacity, PAUL)	
LATSCHER, O.P.D. Officer, is to)	
sued Individually and in he Official)	
Capacity, JERRY SWANSON,)	
O.P.D. Officer, is to be sued)	
Individually and in his Official)	
Capacity, THE CITY OF OMAHA, a)	
Municipality, is to be sued in its)	
Official Capacity, and DONALD)	
KLEINE, Douglas County District)	
Attorney, is to be sued Individually)	
and in his Official Capacity,)	
)	
Defendants.)	
_____)	

On May 3, 2016, the court dismissed Plaintiff's case without prejudice for failure to prosecute this case diligently and for failure to comply with this court's orders to pay the \$400.00 filing and administrative fees or file a request for leave to proceed in forma pauperis within the required time frame. On May 6, 2016, Plaintiff filed a Motion for Extension of Time (Filing No. [7](#)) within which to file a motion to proceed in forma pauperis due to an alleged delay in the processing of Plaintiff's six-month trust account statement.

Because this case was dismissed without prejudice and prior to the court allowing Plaintiff leave to proceed in forma pauperis, Plaintiff may refile this case in this court without being subject to two filing fees. Accordingly,

IT IS ORDERED:

1. Plaintiff's Motion for Extension of Time (Filing No. [7](#)) within which to file a motion to proceed in forma pauperis is denied, as this matter has previously been dismissed without prejudice and judgment has been entered; and
2. Plaintiff may refile this case in this court.

DATED this 10th day of May, 2016.

BY THE COURT:

Richard G. Kopf

Senior United States District Judge